

FEDERAL WATER POLLUTION CONTROL ACT (FWPCA)

2-29. Spill Prevention Control and Countermeasures Plan

1. AUTHORITY. Pursuant to the Federal Water Pollution Control Act (FWPCA), to perform the EPA functions and responsibilities relative to the Spill Prevention Control and Countermeasure Plan (SPCC Plan) regulations.
2. TO WHOM DELEGATED. Director, Hazardous Site Cleanup Division (HSCD), and Associate Division Director, Office of Enforcement, HSCD.
3. LIMITATION.
 - a. The Director, HSCD, and Associate Division Director, Office of Enforcement, HSCD are delegated the authority to authorize extensions of time for preparation and implementation of SPCC Plans in accordance with 40 CFR 112.3(f).
 - b. The Assistant Administrator for Solid Waste and Emergency Response renders decisions on appeals made pursuant to 40 CFR 112.4 (f) by owners and operators relative to amendments to SPCC Plans required by the Director, HSCD, and Associate Division Director, Office of Enforcement, HSCD.
4. REDELEGATION AUTHORITY. This authority may not be redelegated without formal amendment.
5. ADDITIONAL REFERENCES.
 - a. Section 311(j)(1)(C) of FWPCA.
 - b. 40 CFR Parts 110 and 112.

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2-29. Spill Prevention Control and Countermeasures Plan (cont)

c. 40 CFR Part 114, cited in 3.a. and 3.b. above, has been combined with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance and Corrective Action Orders and the Revocation, Termination or Suspension of Permits (AConsolidated Rules@), 64 Fed. Reg. 40,138 (July 23, 1999), to be codified at 40 CFR Part 22.

6. SUPERSESSSION. Delegations Manual, FWPCA, Regional Delegation 2-29. Spill Prevention Control and Countermeasure Plan, 1200 TN RIII-143 (November 1, 2000).

Date 9/1/05

/s/ James W. Newsom for
Donald S. Welsh
Regional Administrator